IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 22535 of 2004

Between:

T.Madhusudhan S/o.lakshminarayana
Domakonda, Nizamabad Dist.

..... PETITIONER

AND

1 Agriculture Dept., Govt of A.P.,rep by Secretary
Secretariat, Hyderabad.
2 The Commissioner and Director of Agrl Govt of A.P.,
Hyderabad.
3 The Joint Director of Agriculture
Nizamabad Dist.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ more in the nature of writ of Mandamus, declaring the action of the Respondents in issuing the present impugned proceedings No.Vig.III(2) 728/01, dt.5-10-2004 of the 2nd respondent as arbitrary, illegal and disproportionate and consequently set-aside the Impugned proceedings No.Vig.III(2)728/01, dt 5-10-2004 of the 2nd Respondent by setting aside orders of the Hon'ble Tribunal dt 17-11-2004 in OA No.6194/2004 in not suspending the operation of the Impugned Proceedings of he 2nd respondent as far as reversion of the petitioner is concerned and pass such other order or orders.

Counsel for the Petitioner: MR.P.VENKAT RAO

Counsel for the Respondents: GP FOR Services I

The Court at the stage of admission made the following:

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ORDER: (Per Sri G.B,J)

The writ petition is filed assailing the interim order dated 17-11-2004 passed by the A.P. Administrative Tribunal, Hyderabad, in O.A.No.6194 of 2004 to the extent of refusal to grant stay of reversion.

2. The petitioner was working as Assistant Director of Agriculture. Charges were framed against him. Ultimately, the order of reversion was passed in proceedings No.Vig.III (2) 728/01 dated 05.10.2004, apart from recovery of Rs.54,000/-. However, the learned Tribunal, while admitting the O.A.No.6194 of 2004, granted interim stay for recovery of Rs.54,000/- and refused to grant stay of reversion. Against the said refusal, the present writ petition has been filed.

3. Learned counsel for the petitioner submits that the punishment itself is illegal and contrary to the Rules.

4. Heard the learned counsel for the petitioner and learned Government Pleader for Services-I for respondents.

5. We are not inclined to interfere at this intermediary stage. It is open for the petitioner to make appropriate submission before the Tribunal while dealing with the matter on its own merits. Thus, we do not find any merits in the writ petition and the same is accordingly dismissed. However, it is open to the petitioner to file appropriate application before the Tribunal for hearing the matter expeditiously.

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G.BIKSHAPATHY,J

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P.S.NARAYANA,J.

Date: 08th December 2004.

Prv/Bsb

To

1 The Secretary, Agriculture Dept.,

Govt of A.P.,
Secretariat, Hyderabad.

2 The Commissioner and Director

of Agriculture, Govt of A.P.,
Hyderabad.

3 The Joint Director of Agriculture
Nizamabad Dist.

4 The Registrar, A.P.Administrative Tribunal, Hyderabad.

5 Two CCs to G.P. for Services-I, High Court Buildings,

Hyderabad (OUT).

6 Two CD copies